

1901-006 Chancery Causes: F. P. Baumgardner vs. William M. Pugh &
Lee Co

OA - Debt
T - Property

To the Hon. H. A. W. Skuen, Judge of the
Circuit Court for Lee County, Virginia,

Humbly complaining your orator F. P. Baumgardner, sheweth unto the Court, that at the November term 1900 of the circuit court for Lee County, he obtained in the said court a judgment against ~~Wm~~ M. Pugh and Mary B. Pugh of the said County, for \$75⁰⁰, with interest thereon from the 22 day of August 1894, till paid, and \$8⁵⁰ for costs, which said judgment was duly docketed in the clerk's office of the County Court Clerk of said County of Lee, and which said judgment, your orator is advised, is a lien on the real estate of the said Wm. M. Pugh and Mary B. Pugh.

Your orator is also advised that there are no other liens on the real estate of the said Wm. M. Pugh and Mary B. Pugh, and he believes it to be true.

Now your orator further states, that the said Mary B. Pugh is seized and possessed in fee simple of a tract of land lying and being in the said County of Lee, ^{on the Big} ~~the~~ containing some thirty or forty acres more or less and bounded by the lands of E. V. Hilton John Smyth, and others, and that his judgment (except \$13²⁰, a part thereof, which has been paid as of the 22 day of Aug. 1894) is a lien on said real estate - and that the rents and profits of said real estate will not satisfy the said judgment in five years.

1 In consideration whereof, your orator prays
2 that- the said Wm. M. Pugh and Mary P.
3 Pugh be made parties defendants to this
4 bill, and be required to answer the same,
5 but- they need not do so on their oaths, that-
6 being hereby waived, that- proper process
7 issue; that- all proper orders be made; that-
8 that- the said real estate, or so much thereof
9 as may be necessary, be sold to satisfy your
10 orator's judgment- and the costs of this suit;
11 and that all such further and general relief
12 as may in the premises be just- and proper, be
13 granted your orator.

14 And your orator will ever pray, etc.
15 J. B. Noel Jr. q.
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F. P. Baumgardner
vs Bill & Chancy
Mrs. W. and Mary D. Pugh

1901 1st Feby rules Bill
filed Spa executed & D. N.
2nd Feby rules D. N. Confd
& Cause set for hearing.

1 F. P. Baumgardner

2 vs

3 Wm M. & Mary B. Pugh

} D n to havey;

4 This cause came on this day to be heard upon
5 the plaintiffs bill and the papers filed therewith and
6 was argued by counsel; and it appearing to
7 the Court that the parties defendants have been
8 duly served with notice as required by law, and they
9 neither appearing to answer or demur to said bill, the
10 same is taken for confessed, and it is adjudged
11 ordered and decreed that the plaintiff recover of
12 the defendants ~~recover~~ the sum \$83⁰⁰ with interest-
13 on \$75⁰⁰ a part thereof from the 22 day of August 1894
14 till paid and the costs of this suit. And it is further
15 adjudged, ordered and decreed, that unless the
16 same be paid within 60 days from the expiration
17 of this term of the Court; J. C. Noel who is hereby
18 appointed a special commissioner for the purpose,
19 after having given notice of the time, place, and
20 terms of sale by posting notices thereof ^{for at least 30 days} at the front door
21 of the Court-house, and in the neighborhood of which
22 the said land is situated, proceed on the first day of
23 ^{some} ~~the~~ term of County Court of Lee County, at the front door
24 of the Court-house thereof, offer for sale at public outcry
25 to the highest bidder, on a credit of one and two years,
26 except that enough be paid in hand to pay the costs of this suit and commission ^{and} ~~and~~ ^{for} the
27 The said commissioner will take the notes of the purchaser
28 of said lands, with good and sufficient security, payable in
29 one and two years respectively, in payment for the residue of
30 the purchase price of said land. But before the said
31 commissioner shall make said sale, he shall enter into bond
32 with the clerk of this Court in the penalty of \$200⁰⁰ for the
faithful performance of his duties as said commissioner.
and will report his action to some future term of
this Court; and this cause is continued.

F. P. Baumgardner
of Decree No 1.
Wm. & Mary B. Pugh.

Entered on Chey Order
Book No 6 Page 491

Entered this 5 day
of March 1901.
H A W Shuen
Judge.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Wm M Pugh and
Mary B Pugh*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the
said court, on the *1st* Monday in *February* 1901, to answer a bill in

chancery exhibited against *them* in our said court by *F. P.
Baumgardner*

And have then there this writ. Witness, A. B. Munsey, Clerk of our said Court, at the court-house,

the *28th* day of *January* 1901, and in the 12^{*th*} year of the Common-
wealth. A copy, Teste: *A. B. Munsey* Clerk.

Clerk.

Executed on 31 day of Jan, 1901, as to Mary B
Pugh, by delivering to her the said Mary B. Pugh,
an attested copy of the within subpoena, and
executed as to W^m M. Pugh ^{on Jan 31 1901} by delivering to his
wife Mary B. Pugh, at the usual place of abode of the
said W^m M. Pugh, an attested copy of the within subpoena,
and giving her information ^{of its purport} - the being
a member of his family over 16 years of age; he the
said W^m M. Pugh not being found at his usual
place of abode. This Jan 31 1901.

J. P. Ely D.S.
for W. P. Milham D.S.

F. D. Barnard
SUBPOENA

VS.

IN CHANCERY.

M. Pugh et al

J. L. Noel
P. q.

To 1st February Rules.

Leicestershire Court.